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ABSTRACT

This report, one of a series of country studies on higher education and employment particularly in continuing professional education, looks at recent developments in Germany. The first of six chapters offers a series of definitions of central concepts and focuses the paper's discussion on continuing education offered by higher education institutions and on their own responsibility. Chapter II looks at the development and importance of continuing education describing the traditional role of continuing education, the current state of these services as demand and employment has changed, and comparison with other industrialized nations. Chapter III describes in detail the continuing education offered by higher education institutions from types of programs, teaching techniques, and integration into the structure of universities to career-orientation and further education provided by connected institutions. Chapter IV briefly describes non-university programs. Chapter V discusses the challenges and problems facing continuing professional education including admission and qualification of participants, certification and record keeping, finance, teaching staff and teaching methods, and competition and collaboration with other providers. Chapter VI concludes by evaluating the current status of university services and suggesting future directions. Includes 58 references and a 25-item bibliography. (JB)

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HIGHER EDUCATION AND EMPLOYMENT: THE CHANGING RELATIONSHIP

RECENT DEVELOPMENTS IN CONTINUING PROFESSIONAL EDUCATION

COUNTRY REPORT - GERMANY

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Recent Developments in Continuing Professional Education

COUNTRY STUDY: GERMANY

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HIGHER EDUCATION AND EMPLOYMENT: THE CHANGING RELATIONSHIP

Project iii): Recent Developments in Continuing Professional Education

COUNTRY STUDY: GERMANY

This report is one of a series of country studies prepared in the framework of the OECD Education Committee activity on Higher Education and Employment: The Changing Relationship. It deals with one of the three main topics covered by this activity, Recent Developments in Continuing Professional Education. Together with other country studies on this topic, it provides the background information for the preparation of a Secretariat general report that will be published by the OECD in 1992.

Country studies and general reports are also being made available for the other two projects included under this activity: The Flows of Graduates from Higher Education and their Entry into Working Life; Higher Education and Employment: The Case of the Humanities and Social Sciences.

The present country study on Germany has been written by Dr. Stefan Lullies and Dr. Ewald Berning. The views expressed are those of the authors and do not necessarily commit the national authorities concerned or the Organisation.

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COUNTRY REPORT OF THE FEDERAL REPUBLIC OF GERMANY
ON FURTHER EDUCATION

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CHAPTER I

Definitions[1]

Further education in the Federal Republic of Germany is offered on the one hand by higher education institutions (mainly universities, technical universities, Fachhochschulen), on the other hand by chambers of commerce, professional and commercial associations, the industrial and the services sector, Federal, Länder (Federal States) and local authorities, colleges for adult evening classes and by educational and training institutions run by firms, trade unions and the Churches. The programmes offered by higher education institutions are partly carried out on their own responsibility, partly in collaboration with other providers.

With the enactment in 1976 of the Hochschulrahmengesetz (HRG = Framework Act for Higher Education)[2] higher education institutions were assigned the legal task of providing further education, an additional task to research, first degree and post-graduate course teaching. In para 4 of section 2 of the HRG as well as in the respective regulations of the laws on higher education of the Länder the following three tasks in this field of activity are defined for higher education institutions:

-- The institutions of higher education shall offer academic further education programmes;

-- they shall contribute to other courses of further education, offered by other organizations;

-- they shall encourage the further education of their own staff.

In the Federal Republic of Germany responsibility for

the education sector rests with the Länder in general while federal responsibility applies only to the declaration of general principles such as the Framework Act for Higher Education. As far as study and examination regulations for study courses which culminate in an academic examination are concerned (master degree, Diplom, doctoral degree), responsibility actually rests with the individual higher education institutions, that is, they are free to decide upon the types and contents of the respective degree courses within the limits stipulated in the HRG and the laws of the Länder concerning higher education institutions. Only examination regulations for degree courses in medicine and pharmacy are subject to federal responsibility. Respective regulations also apply to the programmes of higher education institutions in the further education sector. As a result, the Federal Government has limited possibilities for influencing the encouragement of further education activities. Pilot projects, for instance, can be encouraged and financed by the federal authorities, which can participate in passing basic resolutions on further education via the Bund-Länder-Kommission für Bildungsplanung und Forschungsförderung (BLK = Bund-Länder Commission for Educational Planning and Research Promotion) which includes Bund and Länder representatives. Concrete activities in further education can, however, only be launched by the individual institutions of higher education.

Specific programmes of further education offered by higher education institutions or in collaboration with other providers must comply with standards corresponding to other activities of higher education institutions in research and teaching, that is, they must be academic in nature. Thus neither the development of propaedeutic programmes[3] nor the popularization of academic disciplines belong to the range of tasks in further education which higher education institutions have to fulfil.

Moreover further education differs from similar acti-

vities at other levels of education by addressing, as a rule, participants who either have a degree in higher education and have worked in their profession for a while or those who did not graduate but have achieved comparable qualifications in their career and thus have proved their aptitude in a certain field. Further education comprises first and foremost continuing professional education but also programmes of mainly or exclusively liberal education.

The following report is basically confined to further education offered by higher education institutions on their own responsibility. But it also deals with programmes carried out in collaboration with other providers. In chapter IV a survey is presented by giving examples of non-university further education. Further education for university and Fachhochschul staff, in particular of junior academic staff, is not dealt with in this report.

The task of further education for higher education institutions has been left rather vague in section 21 of the HRG according to which such institutions are to "develop and offer opportunities in further education". Under the term "weiterbildendes Studium" (further education studies) two different kinds of further education programmes are subsumed:

-- further education study in the narrow definition: it includes a structured curriculum, the possibility of being divided into several sections and is basically projected for a certain period;

-- other programmes of further education: they are designed to meet a current and often rather specialized demand in further education.

From the further education study defined in section 21 of the HRG as mentioned above, the "Zusatz-, Ergänzungs- und Aufbaustudium" (various kinds of post-graduate courses) are to

be differentiated. These types of study, defined in para 5 of section 10 of the HRG, make a degree a compulsory prerequisite, often have curricular linkages to initial degree courses and are generally taken up immediately after completion of these courses. However, there is no consistent assignment of these types of study. Occasionally post-graduate courses are referred to as further education study because their participants frequently regard them as belonging to further education.[4]

In this report the post-graduate courses mentioned above are not considered part of further education and therefore will not be dealt with. The same applies to events which

-- serve the purpose of exchanging ideas and experience among academic staff and experts,

-- within the framework of the studium generale,

-- present the work of the higher education institution to a wider public.

In this context the following examples can be mentioned: "Dies academicus, Hochschultage, Hochschulwochen, Tage der offenen Universität", series of interdisciplinary lectures, one-off lectures, academic conferences, symposia and colloquies, exchange of ideas and experience, for example with authorities or professional organizations.

CHAPTER II

Development and present importance of further education

1 Traditional role

The first examples of further education activities carried out by higher education institutions can be traced back to the 19th century.[5] Until the recent past, however, the contributions of the higher education sector in this field were rather scarce and confined to few individual cases. Initiatives for collaboration with other providers of further education generally did not last long. However, members of higher education institutions have always been involved in further education, but in most cases outside the higher education institution as a secondary and frequently well-paid job. Participation varied considerably as to the respective academic disciplines.

Though the higher education sector was given the legal duty of further education as an equally important task besides research and first degree and post-graduate courses by the Framework Act for Higher Education as recently as 1976, the new significance of further education has been discussed by education policy-makers for some time. Since 1968 the Arbeitskreis Universitäre Erwachsenenbildung (AUE = Working Group for Further Education) has shown great commitment to this topic. More often than not since 1970 institutions of higher education have been reminded of their responsibility for further education by various educational bodies.[6] The Deutscher Bildungsrat (German Council of Education), the Wissenschaftsrat (Science Council), various political and social groups emphasize its importance. In 1983 the Wissenschaftsrat published "Empfehlungen zur Weiterbildung an den Hochschulen"[7] (Recommendations on Further

Education at Higher Education Institutions) for the first time. It regards higher education institutions as new partners in this field which, up to now, has received only marginal attention from them. At the end of 1987 the Federal Minister of Education and Science launched the "Konzertierte Aktion Weiterbildung" (concerted action on further education) which, among other topics, is also concerned with the urgent necessity of further education provided by higher education institutions.[8] A joint resolution by the Westdeutsche Rektorenkonferenz (West German Rectors Conference) and the Bundesvereinigung der Arbeitgeberverbände (Federal Union of Employers Associations) emphasizes the significance of further education against the background of increasing collaboration between the higher education sector and industry.[9]

With the expansion of the higher education sector in the 60s and 70s and due to high standards in first degree courses and to efforts to maintain the quality of research in spite of unfavourable conditions the further education activities of higher education institutions only got off the ground very slowly. At present student numbers[10] which cannot even be expected to decline in the medium run result in full capacity being required for the tasks mentioned above. Thus until recently further education did not gain that recognition by the higher education sector which present discussions and new developments in almost all fields of life ascribe to it.

The impetus for further education as a new task has rather been transmitted to higher education institutions from outside. The following factors, in particular, contribute to its heightened impact when provided by or in collaboration with higher education institutions:[11]

-- The rapid development of all branches of science, especially of the natural sciences and technology, results in knowledge which was acquired during the first degree courses becoming soon obsolete. Permanent further education as an organized

way of life-long learning has become indispensable.

-- Permanent technological and social change in occupational life and in society requires the constant adaptation and updating of formerly achieved qualifications in order for graduates to be in a position to meet new challenges. The transfer of knowledge and technology is not feasible without further education.

-- The structure of the modern labour market is such that it is no longer possible to rely for the whole period of one's active life on a vocational qualification formerly achieved or on an academic qualification achieved in the course of initial study. Flexibility and mobility require a high level of further education and even repeated career changes.

-- Further education can also be necessary to continue a career after a period of interruption (frequently for women, but also for men who interrupted their occupation for family and educational reasons). Moreover the increase in leisure-time and part-time work permit greater participation in further education programmes.

-- The goal of maintaining a humane society requires critical scientific reflection on technological and other developments in order to realize and to meet the global challenges and threats to mankind and to maintain a humane environment. Such critical reflection and discernment cannot only be acquired once in the initial study. In fact, constant renewal and a sound scientific basis are called for. Further education is to strengthen the capability of sound judgement and to impart the necessary knowledge about unfavourable developments. This is a special task for higher education institutions resulting from their understanding of their scientific functions and tasks.

-- By involvement in further education, universities and

Fachhochschulen become acquainted with practical experience of occupational life and society, which is indispensable and would be hard to achieve otherwise. This experience may have repercussions on the contents and didactics of study courses and may provide specific stimuli for research.

-- Global interlinking, overall market competition and imminent occupational dequalification without life-long learning do not leave any other option for the people in industrialized societies than to maintain and increase their human capital by participating in further education.[12]

In spite of these significant reasons for further education many higher education institutions and their staff have still retained an undeniable scepticism towards this new task:[13] the tradition and self-concept of German higher education institutions make it difficult for them to get used to the idea of offering their services on new markets, perhaps even in competition with other providers. - For a long time they have had a kind of scientific monopoly in research and teaching; they are hesitant in accepting new developments and ways of organization in education and science. - The existing immense overload in first degree courses is the most cogent argument against becoming involved in further education. - For many researchers further education as well as teaching in study courses are hardly attractive compared to research activities.

It can, however, not be denied that an inevitable change in function in higher education institutions and in studying has been going on and is still proceeding. Studies which have to be completed within a limited period are no longer apt to prepare people for a life-long career and occupational demands. It is not only the volume of learning that must be reduced and newly structured; it is also necessary to convey a new quality in the handling of knowledge. It is true that present-day students have to be educated according to the traditional ideal of university teaching the purpose of which is not only to impart knowledge

on a scholastic basis. It should, on the contrary, result from research and therefore bring students into contact with current research issues. However, it is no longer possible to permit all students to participate actively in research activities. Nowadays the predominant goals of first degree courses comprise: insight into the fundamentals of a field of study and its methods; multifunctional abilities; orientation to practical requirements and the willingness to engage in life-long learning. Studies for a limited period as preparation for professional life therefore require the reduction and transfer of study contents to the area of further education. This is mainly what the Wissenschaftsrat stated in its Recommendations on the Structure of Study (1986) and on the Perspectives for Higher Education Institutions in the 90s (1988).[14] If further education were to be regarded only as an additional task for universities and Fachhochschulen on top of those tasks which they are already required to tackle, its function in relation to research and teaching would be misunderstood. Thus the involvement of higher education institutions in further education also calls for permanent study reform.

2 Current state of the art

Generally it can be said that most higher education institutions have now realized the necessity for further education. The scope of further education programmes has considerably increased compared to the past. Chapter III, 2 provides further details on this subject. Many higher education institutions, however, do not regard deeper involvement in further education as feasible unless the burden of first degree courses has eased. But this can hardly be expected in the medium run. The change in function of higher education institutions, which includes further education in the comprehensive function of research, teaching and transfer of knowledge, must not be oriented solely to such constraints and hopes for a better future. In comparison to western industrialized countries such

as the U.S.A., France, Sweden or Great Britain, the higher education institutions in the Federal Republic of Germany must put more emphasis on further education.

3 Further education in the international perspective

Different systems of education, different cycles in life and occupation and diverging structures of society have up to now permitted only a limited international comparison of further education at universities and Fachhochschulen in the Federal Republic of Germany with other industrialized countries.[15] Only single aspects can be compared, for instance demand-orientation, integration into the structure of higher education, the connection with initial study, regional requirements, modes of financing, organizational regulations, etc.. A comprehensive assessment is not yet possible on this basis. Nevertheless it is a fact that higher education institutions in the U.S.A. or in Sweden, for instance, are more open than West German higher education institutions as far as further education as part of their educational tasks for the individual and society is concerned. In both countries further education is regarded as an opportunity of continuing training which was not completed, or interrupted, or of achieving a higher level of education which leads to career success. Institutions of higher education in the U.S.A. have traditionally been geared to local and regional needs and have close provider-clientele links. In Great Britain extramural university activities have a long tradition; they are the foundation on which modern further education builds. Also in France and Italy, whose centralized education systems failed to comply with the requirements of the occupational sector for a long time, the necessary collaboration between industry and institutions of education provides great stimuli for further education. The example of the U.S.A. clearly shows that further education at higher education institutions requires an efficient organizational infrastructure if it is to acquire adequate standing.

CHAPTER III

Further education provided by higher education institutions

1 Structure and organization of programmes

Diverse conditions and traditions at higher education institutions have led to a wide range of programmes and organizational models in further education. This makes it more difficult to obtain an overview at the moment, but it is a result of diverging initial bases and interests. If programmes and organization were pressed into a rather uniform model, the necessary flexibility and the direct user-orientation could be affected.

1.1 Types of programmes and teaching techniques

In chapter I the programmes of further education were, by definition, divided in

-- the further education courses in the narrow definition and in
-- other programmes of further education.[16]

This division into two typical kinds of programmes suffices to categorize the abundance of single events, courses and study courses according to intelligible indicators.

a) **Further education in the narrow definition** bears close relation to the classical structure of degree courses. It generally comprises programmes on the basis of a curricular framework and, like traditional study courses, is frequently divided into terms as in the case of study courses. It is basically projected over a longish period. It can be diffe-

rentiated into medium-term programmes of up to 100 lessons and long-term programmes covering several terms. The latter are frequently characterized by study and examination regulations and can therefore be described as further education courses.

Further education in the narrow definition has up to now mainly been offered as on-campus studies.[17] Elements of distance learning, weekend and compact units and arrangements in the form of a modular system are common features of these programmes. The instructional organization depends on the concept of the contents, on didactics and on the participants' time preferences, if higher education institutions take this point into consideration.

b) The other programmes of further education are directly oriented to practical requirements and are aimed at fulfilling participants' concrete needs in the short run. They are mainly aimed at imparting knowledge in a condensed form in order to consolidate practical experience of work by providing expert information and at exchanging ideas based on practical occupational experience and scientific deliberations which could help to solve problems.

As to teaching techniques, it is self-evident that the lecture and shortish seminars prevail; those types of programmes which demand more active participation by users have been less common up to now. These other types of programmes are mainly offered as evening programmes or as programmes for one day, a week or a weekend.

1.2 Integration into the structure of higher education institutions

The wide variety of programmes in further education is also reflected in its integration into the structure of the higher education institution.[18] Up to now fixed and widely re-

cognized organizational patterns have not been established. Bund and Länder laws do not prescribe the way in which further education should be integrated into the structure of the higher education institution. This fact is due to the historical development of further education, different local framework conditions at higher education institutions and to the objectives of the individual further education programmes. If uniformity were aimed at in this field, flexibility and the user approach of such programmes could be impeded here, too.

The responsibility for the planning, provision and evaluation of further education at higher education institutions can be focused in a central unit or decentralized at the level of departments/institutes or split up among several units and levels.

The way in which further education is integrated into the structure of the higher education institution depends also on the degree of continuity that these programmes have achieved. Higher education institutions which have only recently turned to further education will probably choose more flexible patterns of assignment during the stage of planning and testing than those institutions which have been offering further education programmes for some time and which have gained ample experience in implementing such programmes. Each individual institution can decide - and should do so - which form of integration it regards as adequate and feasible. It must, however, be taken into consideration that central units can substantially support decentralized units and thereby contribute to the development of specialized technical programmes and in the establishment of their interdisciplinary relations and can assume service and coordination functions for them.

2 Quantitative and qualitative aspects

2.1 Quantitative aspects

In 1989 the HIS-GmbH, Hanover, published the results of a survey carried out at higher education institutions in the Federal Republic of Germany with respect to their activities in further education;[19] in 1990 it was followed by the evaluation of a survey conducted among higher education staff on the same topic.[20]

The first study is based on the reply of 185 of the 207 higher education institutions interviewed. According to this study, in the winter term 1987/88 and in the summer term 1988 higher education institutions provided 1,006 further education programmes on their own responsibility, 181 of them in the form of study courses (long-term programmes with a curricular structure) and 895 single events (mainly shortish programmes). Study courses were offered by 82 higher education institutions, single events by 367 of the 1,329 departments interviewed. It must, however, be mentioned that, apart from higher education institutions and departments which did not reply at all, it was not possible to obtain data on the whole range of programmes offered. On the basis of supplementary analyses of higher education institutions' catalogues of further education programmes HIS came to the conclusion that in the period mentioned at least 1,300 further education programmes were carried out.[21] One must, however, bear in mind that the HIS studies are based on a broad definition of the term "further education". They include programmes "which are aimed at non-occupational or post-career activities" as well as those kinds of "Aufbau-, Zusatz- oder Ergänzungsstudien" (post-graduate courses) which are open to the gainfully employed with or without a higher education degree.[22]

Compared to the standing of further education in other western industrialized countries the commitment of West German

higher education institutions in providing such programmes in their own responsibility still remains at a low level.[23] A comparison of various countries must, however, take into consideration that the structure of higher education varies substantially and that West Germany disposes of a wide range of well-established non-university further education programmes (see chapter IV).

2.2 Career-orientation and target groups of further education programmes

Further education programmes at higher education institutions are mainly career-oriented and designed for those in employment. Among the addressees are - besides members of the common big academic professional groups - also special interest groups, for instance: scientists active in industrial research; women who want to return to occupational life after a longish interruption for family reasons; unemployed people who want to participate in retraining or further education. Apart from those activities higher education institutions also offer specific post-career programmes, the Seniorenstudium (study for senior citizens) as it is called, which, however, does not form part of this report.

In the period covered by the HIS studies further education programmes were attended by the different target groups as shown in the following table:[24]

table 1: Target groups of continuing education programmes
- in % (multiple answers) -

target groups	study courses in %	single events in %
gainfully employed with job-related continuing education requirements	84	89
gainfully employed with general continuing education requirements	28	38
academics in research	11	19
unemployed	14	7
senior citizens	4	5
housewives/-men	4	4
other groups	20	11

These figures reveal that study courses as well as single events are attended by the great majority of those gainfully employed with job-related further education requirements and to a considerable extent by those with general further education requirements. Career-orientation is therefore the decisive motivation for participating in these activities.

2.3 Timing of further education programmes

To a great extent, higher education institutions endeavour to adapt the timing of their programmes to participants' requirements. However, the proportion of programmes which do not meet these needs is still too high. This is also shown by the following HIS results:[25]

table 2: Timing of continuing education programmes
- average values in % -

timing	study courses in %	single events in %
up to the early afternoon	18	16
as from the late afternoon	23	31
all day long	21	27
at weekends	11	11
compact periods	22	10

39% of the study courses and 43% of the single events last for one whole day or finish as early as the early afternoon. The conclusion from this must be that a number of potential participants can hardly attend programmes at those times because of their occupational activities. Moreover, the opening hours of libraries, computer centres and similar institutions still insufficiently reflect the needs of people in occupation who, in most cases, can only make use of late or extended opening hours.

2.4 Further education provided by connected institutions and participation in programmes of other providers[26]

In order to be independent of state authorities' regulations and to be in a position to meet user demands in a flexible way - and last but not least because of more attractive prospects of revenues from further education programmes - at a number of higher education institutions other institutions under

private law were established in the form of associations or foundations, among others, which are dedicated to further education, often in the field of technology and business. Among the members of these institutions are, for instance, staff of higher education institutions, companies, authorities or individuals (for instance tax consultants, lawyers etc.). The topics are directly related to practical requirements and result from concrete user needs.

Last but not least the Weiterbildungsakademien (academies for further education) must be mentioned which were founded in cooperation with the Fachhochschulen in particular and which offer further education programmes for graduates of Fachhochschulen with occupational experience and for persons with similar qualifications. In most cases participants have to pay high fees for these programmes. For the higher education staff who teach there this kind of work is a secondary job which is well-paid.

CHAPTER IV

Non-university programmes in further education[27]

1 General aspects

For almost every field of occupation of graduates a wide variety of further education programmes is offered by non-university institutions. For physicians, lawyers, engineers and professions in the business sector, for instance, continuing professional education is in most cases provided by the chambers of commerce and the professional associations and organizations mentioned above. Continuing professional education for members of the public sector is mainly carried out on behalf of the respective ministries. To some extent it is offered by state institutions especially established for that purpose. State academies providing continuing education for teachers generally assume this responsibility for teachers of all school levels.

These continuing education programmes are mainly designed to meet professional needs and are flexible in that they respond to new developments in the different fields of knowledge and professions. About 60% of the teaching staff come from professional fields outside the academies, about 40% are teachers in higher education for whom this kind of continuing education constitutes a secondary job which is well paid.

2 Various aspects for selected professions

a) Physicians

Physicians are obliged to take part in continuing professional education on the basis of the regulations established by the "Ärztekammern" (Medical Associations). The kind

of continuing education is, however, not described in detail. The "Ärztekammern" coordinate and supervise these programmes according to technical and regional needs. In addition, medical societies and associations, scientific societies, organizations responsible for arranging conferences and industry provide respective programmes. In most cases these programmes last for one to two days. They generally cover the physicians' requirements for continuing professional education. Fees have to be paid in most cases by the participants.

b) Lawyers

The leading providers of continuing professional education for lawyers are the Deutscher Anwaltsverein (German Lawyers' Association) and the Bundesrechtsanwaltskammer (Federal Chamber of Lawyers). Their programmes aim at updating knowledge, for instance in the fields of economic and fiscal law, and at providing special knowledge, for instance in new fields of law, in electronic data processing and in personnel management. Increasing importance is laid on imparting complex knowledge, for instance with regard to demand resulting from the European unification process. On the regional level local lawyers' associations and chambers of lawyers offer corresponding programmes. As a rule, fees have to be paid by the participants.

c) Judges and attorneys

The legal authorities of the Bund and the Länder and the Deutsche Richterakademie (German Judges' Academy) offer continuing professional education for judges and attorneys. These programmes include specialized technical questions as well as topics relating to political, social and economic developments. Participation in these programmes is not obligatory and, as a rule, is free of charge for participants.

d) Teachers

Continuing education for teachers existed to some extent as early as the 19th century. It is gaining in importance because of the increasing requirements made of teachers and schools on all levels due to frequent curriculum reforms. From 1972 to 1977 the Länder, supported by federal financial aids, launched numerous pilot projects for the testing of new forms and contents in continuing education for teachers.[28] The respective Länder academies perform their task in collaboration with teachers' associations, higher education institutions and institutions for political education. Certain programmes are obligatory for teachers. Continuing education programmes provided by Länder authorities are financed by the latter.

e) Professions in the business sector

Continuing professional education in the business sector is characterized by a wide range of providers: chambers, professional associations, employers, academies, private foundations and independent institutions at universities and Fachhochschulen. The content of these programmes is oriented to practical requirements and comprises mainly the fields of management, staff, finance, accounting, taxation, languages and management of personnel. In the last few years courses dealing with interdisciplinary questions, like for example environmental conservation, have grown in importance. Unless these programmes are provided by the respective employers, fees must be paid by participants. Employers are, however, more and more inclined to pay such fees for their employees even if these programmes are carried out by other providers. As far as measures for continuing professional education and retraining are concerned, the costs are covered by state funds under certain preconditions according to the Arbeitsförderungsgesetz (Employment Promotion Act).[29]

f) Professions in engineering and natural sciences

Further education in the technical professions has a long tradition. Professional associations like the Verein Deutscher Ingenieure (VDI = Society of German Engineers) were founded in the past century and undertook to provide continuing professional education for their members right from the beginning. They founded, among others, the Bildungswerk (Academy of Education) of the VDI, the Haus der Technik (House of Technology) in Essen, Technische Akademien (academies of technology) in Esslingen, Kaiserslautern and Wuppertal as well as the Institut für technische Weiterbildung (Institute for continuing education in technical professions) in Berlin. Continuing professional education is carried out similarly to that in the business sector. In the chemical industry and electrical engineering-sectors which require high inputs in research and development and which are characterized by a tremendous pace in innovation - continuing professional education is carried out in the form of in-house training to a great extent, often in collaboration with teaching staff in higher education institutions who receive considerable remuneration for these secondary jobs. In mechanical engineering and in the construction and civil engineering sector the proportion of in-house continuing education is lower and therefore the proportion of programmes offered by other providers for which fees are paid is higher. Engineers and technicians at the medium and upper management levels are increasingly calling on continuing professional education in the field of business and management. Other important fields are information technology, data processing as well as interdisciplinary topics.

CHAPTER V

Problems

1 Admission and status of participants[30]

1.1 Admission

As to admission regulations section 21 of the HRG only rules that further education studies must be open to graduates and to those who have acquired the necessary aptitude for participation in their occupation or in other ways. Thus a first degree is not prerequisite.

The standards concerning participants' "aptitude" are mainly based on the level of the further education studies which, of course, are scientific and research-related; therefore participants have to be prepared to meet the demands of academic further education. On this basis and according to the recommendations of the Wissenschaftsrat on further education[31] the notion of "aptitude" implies that an applicant disposes of the necessary qualities which enable him to take part actively in the further education programmes of higher education institutions. The task of assessing these qualities is the responsibility of higher education institutions. The way in which they establish these standards and other regulations on which they make admission to further education programmes conditional varies considerably according to the design of the specific further education courses. At the moment the main prerequisites are related to the target groups of the occupation in question, completion of vocational training and adequate practical experience in the pertinent occupational sectors.

Excerpts from the HIS inquiry of 1989:[32]

table 3: Admission requirements for participation in continuing education programmes offered by higher education institutions

admission requirements	study courses in %	single events in %
work experience	63	50
degree in higher education	59*	38
aptitude test	21	4

*) This high percentage might be due to the fact that the HIS inquiry also includes postgraduate courses which can be attended by gainfully employed persons.

It is clear that the required standards for study courses in comparison to single events are significantly higher. The majority of the participants in these programmes dispose of the admission qualification for higher education even if this is not absolutely necessary in most Länder.[33] If the field of occupation of the addressed target group is not of a predominantly academic character, more people without the admission qualification for higher education take part in these further education programmes.

1.2 Status

The legal status of participants in further education varies considerably at present. These persons are either admitted as "allgemeine Gasthörer" (general non-enrolled students) or as "besondere Gasthörer/Weiterbildungsgasthörer" (special non-enrolled students in further education) (North Rhine-Westphalia) or as "Gaststudierende" (non-enrolled students) (Bavaria). Only in very few cases, for instance in further education study courses, are students enrolled on a regular basis.

North Rhine-Westphalia's legislation on higher education also provides for further education to be offered on a private law basis if these studies do not constitute further education courses. In this case participation is regulated on the basis of a contract under private law between the higher education institution and the participant in which the contractual obligations of both partners are laid down (for instance programme as to type, scope and tuition, rights of use, fees, observation of user regulations, questions of liability, right to give notice). This affords higher education institutions more freedom than would be possible by regulating participation under public law as to the relationship between participants and administration and as to tuition fees.

The Ausschuß Bildungsplanung of the BLK stated in its resolution of February 14, 1990" that a special status under public law should be established for the participants in further education studies which would grant them a position between student enrolled on a regular basis and non-enrolled student. This would best suit their interests and include the right to sit for examinations as far as this is envisaged for further education studies, the right of admission to all further education events (tutorials and seminars included), accident insurance and admission to all facilities (for instance libraries, computer centres).

In addition to a special status under public law - unless further education study courses are concerned - participation status under private law should be made possible, too, which would grant the same opportunities as that under public law.

2 Record of participation and certificates

The type of record of participation and of certificates corresponds at most higher education institutions to the type

of programmes provided. According to the HIS publication of 1989[35] the majority of the participants of further education studies in the narrow definition received a certificate confirming participation if they - apart from regular participation - had produced certain results in the course of their studies or they received a final certificate if they had written a final paper or had passed an examination. If the further education studies in the narrow definition are designed as a modular system, in many cases a record of participation is granted for each module. In other programmes, that is in rather short programmes, the majority of participants also received certificates of participation; as a rule, these certificates were only granted if at least 70% of the programmes had been attended. According to the HIS survey this applied to about 58% of the respective programmes. Only in about 13% of the programmes were the participants issued a certificate with specifications of the curriculum and results achieved.

The diverse interests of participants and employers present certain problems. For employers it is first of all important that certificates indicate the qualification achieved by a participant without the implication of rights on part of the employee to an occupation that is higher in rank and better paid. In contrast, the trade unions demand that the qualifications achieved be incorporated in the prevailing system of job-grading.

In its resolution of February 14, 1990 the Ausschuß Bildungsplanung of the BLK[36] stated that participation in further education programmes should generally be acknowledged by a certificate of participation. Concrete performance should be acknowledged by certificates indicating the content and volume of the programme, examination procedures and the participant's results. This would in the long run lead to acknowledgement on the labour market. Moreover possibilities should be created for crediting participant's performance in further education studies to the first degree courses[37] under certain

conditions according to the credit point system.

3 Costs and funding[38]

Initial study courses at state institutions of higher education in the Federal Republic of Germany are exclusively financed by state funds. As the commitment of higher education institutions in providing further education programmes has not reached a high level at the moment, the question if and what amount of fees should be demanded from the participants in these programmes has only been of minor importance in most Länder of the Federal Republic of Germany. At present some Länder charge small fees for the majority of their respective programmes. For some merely career-oriented further education programmes high fees have been demanded for a long time. The amount of fees paid is generally not essential, when fees are paid by employers, which is frequently the case.

According to the HIS publication of 1989 the further education programmes offered by higher education institutions in the academic year 1987/88 were funded from the following sources:[39]

table 4: Proportion of different sources for financing continuing education programmes offered by higher education institutions
- in % -

sources	study courses in %	single events in %
participants' fees	21	41
budget of higher education institutions	58	40
other state funds	10	7
funds of third parties	7	9
other funds	3	3

Neither the Framework Act for Higher Education nor the traditions of the German higher education sector in the Federal Republic of Germany lead to the conclusion that higher education institutions should offer their further education programmes free of charge. Even present-day economic situation in the higher education sector does not suggest that higher education institutions should provide further education free of charge. This is also not the rule in most other western industrialized countries. But what is more important - according to an expert opinion on further education from competition laws aspects by Mestmäcker and Veelken[10] - is that the general provision of further education programmes free of charge by higher education institutions does not meet the requirements of this country's competition legislation. Therefore higher education institutions must, as a rule, charge fees from participants of further education programmes.

Some programmes are not subject to competition legislation. This applies to programmes which would not be offered without state subsidies, because the demand would not arise if fees based on the self-financing principle had to be paid. In this case also other providers would not offer such programmes on the market because they would not be able to cover their costs. Programmes which might or do indeed overlap with those of other providers are subject to competition legislation. As a result, fees related to market prices must be charged for those programmes.

Fees can be charged

-- in the form of fees under public law or
-- in the form of payments under private law.

If fees under public law are charged, the form of participation must also be subject to public law. In this case budgetary regulations must also be taken into consideration. Moreover a rather wide scale of fees would be required because

of the broad range of programmes. A solution in the form of payments under private law could be handled more flexibly.

Competition legislation as well as the interests of the Länder in receiving revenues for the services provided suggest comprehensive cost coverage. However, some aims of educational policy, for instance addressing certain target groups, or other public reasons may be in favour of fixing payments beneath the level of threshold prices for certain further education programmes.[41]

For further professional education programmes market prices must be fixed in any case. Higher education institutions must, to a certain extent, also take into account the basic equipment which is needed for further education programmes besides staff and operating costs. Full cost pricing is, however, not necessary and would moreover hardly be feasible.

In its resolution of February 14, 1990 which has been mentioned several times above, the Ausschuß Bildungsplanung of the BLK formulated the following recommendations on this topic:[42]

-- As a rule, fees must be charged for participation in further education courses. As far as legal regulations are complied with, payments under private law should be favoured in contrast to fees under public law.

-- If programmes of higher education institutions enter into competition with those of other providers of further education, payments at market prices must, as a rule, be charged.

-- For programmes which are of special importance from the educational perspective fees beneath the level of threshold prices and even programmes free of charge should be possible contrary to the recommendations presented above.

-- For some participants provision should be made for a graduation of payments and even exemption on the basis of social aspects.

4 Teaching staff

It is true that a considerable number of higher education staff members are involved in further education activities, but mainly outside higher education institutions.[43] According to HIS 70 % of the university professors and 65 % of the professors at Fachhochschulen have continuously been engaged in further education with great differences as to individual disciplines: in physics the proportion was only 40 %, in business administration, however, 91 %. Of the number of professors engaged in further education, only 17 % were exclusively active in programmes of higher education institutions, whereas 51% were exclusively involved in programmes outside higher education institutions. 32 % of the professors were involved in both sectors. An essential reason for the rather reluctant commitment of professors in further education offered by higher education institutions lies in the fact that other providers of further education programmes pay substantial remunaration whereas this activity within their own higher education institutions is one of their regular tasks and, according to prevailing law, cannot be remunerated separately.

The HIS survey of higher education staff moreover revealed that professors dedicate considerable time to further education activities. For 70 % of the professors this time amounts up to 80 hours per year (including time for preparation or post-course work) and for 30 % of them, even to 80 hours and more.

The fact that up to now relatively few professors have been engaged in further education programmes of higher education institutions is not satisfactory, that means that higher

education institutions do not comply with their legal tasks in this field.

In its resolution of February 14, 1990 the Ausschuß Bildungsplanung of the BLK therefore made the following recommendations to improve the situation":

-- Higher education institutions are to take measures in order that professors have more opportunities to distinguish themselves in further education (for instance by developing pilot study courses, by increasing public relation activities in this field and by its evaluation).

-- Activities in further education should be set off against the regular teaching load, provided that teaching in initial study courses is secured. (The regular teaching load comprises a minimum number of weekly lessons per term which a professor in higher education has to give according to state regulations.)

-- Future relief in teaching in first degree courses should also be used to increase further education activities and should not lead to cutbacks in staff.

-- Professors interested in further education should get special organizational support on a central level or on the level of department/institute in planning and implementing further education programmes, and they should be relieved from administrative tasks.

-- Professors developing proper further education activities should be given scope to encourage initiative and motivation.

-- Advertisements for teaching posts in higher education should mention the obligation to participate in further education.

-- For appointments of professors their former engagement in and the confirmed willingness for participation in further education activities should be taken into account apart from their qualifications in research and teaching, and this should be explicitly mentioned in the letter of appointment.

-- Revenues from further education activities should remain with higher education institutions and be used first and foremost to increase personnel and equipment of those entities (e.g. departments) which plan, organize and carry out further education measures.

-- The sharing with higher education staff in the revenues of further education activities should be legally made possible.

5 Didactics

Didactics in further higher education for adults with work-experience must significantly differ from initial study courses. This has been a recognized fact for a long time by other providers of further education outside the higher education institutions. In spite of this fact higher education institutions often follow old patterns when offering further education programmes. The decisive fact about the participants is that they already have work experience, sound knowledge and problem-solving strategies. Teaching staff must take this into account as a basis for the didactical and methodical design of their further education programmes. Besides the classical forms of teaching (lecture, seminar, discussion), the form of dialogue and problem-oriented teamwork with adult-oriented techniques must be included (for instance planning game, role-playing, project work, team-teaching, tuition in small groups). Many teachers in higher education are still unfamiliar with that. This is the reason why many of them first of all would have to achieve the required didactical and methodical qualifications

themselves. Some universities have therefore established central or decentral academic institutions (for instance centres for higher education didactics) which provide additional didactical qualifications for higher education staff by offering advice and training programmes.[45] It is quite common for them to have close relations to practice, that is to enterprises in cooperation with which they develop further education modules oriented to practical requirements with adult-oriented didactics being applied.

Some examples of further education programmes which have been successful from a didactical point of view should be mentioned: the further education courses of the University of Bochum, the course Arbeitswissenschaften (occupational science) at the University of Hanover, the Kontaktstudium Management of the University of Augsburg and the course Energietechnik (energy technology) at the University of Kassel.[46]

6 Influence on initial study courses

Further academic education - like any form of further education - is closely related to other stages of life-long learning. It is not an isolated measure of mere updating of knowledge and skills needed in work practice, but it has an important influence on studies, teaching and research because of its position between the study courses and basic research at higher education institutions and occupational practice. A mere shifting of contents from first degree courses to further education, for example in order to shorten the period of study courses, would not be an adequate response to its specific function of providing qualifications and linking teaching, research and work practice.

Further education provides stimuli for higher education institutions with regard to contents, didactics, practice-related and social questions:[47]

-- As early as in the initial study courses students frequently complain that their studies are not oriented to practical requirements. Many study regulations and curricula are oriented solely to the academic structure of disciplines and hardly take into account practical work requirements. Owing to their work experience, participants in further education can provide a feed back to the academic, explaining staff how they can meet occupational requirements by applying the theoretical knowledge they acquired during their studies. Such experience may change the selection and emphasis of the contents of study, it may adjust it to occupational needs without neglecting academic criteria.

-- For some members of academic staff, further education is the first opportunity to come into contact with adult learners with work experience. As far as questions of didactics and teaching methods are concerned, those teachers in further education with work experience often have a headstart on their academic colleagues. The new experience of learning among equals might also have positive consequences for their relations with students and for the methods applied in initial study courses.

-- The views taken by higher education staff and by people engaged in practical work may differ substantially on the same topic. Often further education is the only possibility for academic staff to learn how their scientific topics and interests are regarded outside the relatively closed sector of higher education, that is, in occupational work, in production and on the market. Other emphases are revealed and may be utilized for scientific work and be transmitted to students.

-- The social implications of science rarely reach academia. Questions like the environmental or social sustainability of scientific and technological developments remain within a theoretical framework unless they are tackled in coope-

ration with those engaged in practical work who are confronted with the consequences of such developments day by day. In this process higher education institutions should assume a critical attitude because they can, due to their special position as independent academic institutions, fulfil a warning and directing function as to questions which are all too easily skipped in daily business and economic competition.

7 Competition/collaboration with other providers of further education[48]

The proportion on the "market" for further education covered by higher education institutions has been estimated (on the basis of the number of events organized) at a mere 5 % to 10 % up to now. Further education is also offered by numerous other providers. While higher education institutions - according to their traditional understanding of their functions and tasks - have a monopoly in the field of initial study courses, this does not apply to the field of further education, all the more so since this task was only introduced as a legal duty with the enactment of the Framework Act for Higher Education. Numerous other providers of further education have a long tradition.

In the field of further education universities and Fachhochschulen are "entrepreneurs". Thus they are subject to the Federal Republic of Germanny's competition legislation.[49] As regards the collaboration of higher education institutions with one another and with other state and state-supported institutions of research and education para 7 of section 2 of the HRG states a general obligation for cooperation. Higher education institutions are free to establish collaboration with other institutions on an institutional level. Such cooperation is relatively common nowadays. More than 75% of the higher education staff interviewed by HIS were in favour of a collaboration with non-university institutions.[50] Half of the single events

in further education are already carried out in collaboration between higher education institutions and other institutions; for further education courses the figure is 41%.[51]

The result of further education being subject to competition is the fact that, with respect to collaboration of higher education institutions with one another - in so far as the provisions of the HRG do not apply - and with other providers of further education, borderlines must be respected in the future. Competition legislation may be violated by[52]

-- agreements or arrangements about the conditions of participation or about prices or if

-- programmes are genarally offered free of charge.

Moreover, in the field of collaboration of higher education institutions with other providers of further education, arrangements and agreements about the range of programmes offered may violate competition legislation. In some cases also courses and programmes offered jointly may arouse concerns.

There are no concerns about collaboration in the following fields:

-- exchange of results of inquiries about specific regional needs and the identification of regional disparities of programmes as well as public relation activities;

-- surveys about demand and its future development and

-- exchange of experience about methods suitable for teaching adults as well as exchange of teaching staff.

8 Perplexity of programmes, lack of information, insufficient collaboration[53]

Up to now it has been difficult to gain an overview of the further education programmes offered by higher education institutions. Even the documentation available (for instance by the Rectors Conference)[54] has not yet provided complete information. Apart from that, it is rarely the case that other higher education institutions consider existing programmes of further education as potential models and analyze them as to the experience gained thereby. Successful pilot projects carried out in the framework of the BLK[55] have seldom been adopted by other higher education institutions.

Potential users of further education still have insufficient information about existing programmes. Contacts between them - including enterprises - and higher education institutions are not sufficient for identifying the respective demand and for utilizing the existing further education potentials at higher education institutions. Databases for further education could be of use in the following fields: catalogues of programmes, surveys of specific regional requirements, surveys of demand and its future development, exchange of experience about adequate methods for teaching adults. Information on these topics contained in databases does not conflict with competition legislation."[56]

The Westdeutsche Rektorenkonferenz (West German Rectors Conference) and the Bundesvereinigung der Arbeitgeberverbände (Federal Union of Employers Associations) made the following statements on this topic in 1989[57]:

"Collaboration between higher education institutions and industry in the field of career-oriented continuing professional education requires management. Its tasks are manifold. Initiating and maintaining contacts between both partners is a decisive step towards establishing a permanent colla-

boration; the regional aspect is of particular importance.

In this process of collaboration another predominant management task is the harmonization of further education programmes provided by higher education institutions with industry's requirements. The corporate demand for qualification depends on entrepreneurial policies and can only be specified in accordance with the latter; on the other hand the results of scientific research influence the corporate demand for qualification. Therefore adequate solutions can only be developed by means of a dialogue between equal partners. Initiating and maintaining contacts as well as the identification of corporate needs and of the potential of higher education institutions are a continuous process. It can only be successful if competent partners on both sides bring life into this collaboration."

CHAPTER VI

Evaluation and outlook

All education policy-makers in the Federal Republic of Germany ascribe a high rank to further education provided by higher education institutions. Again it should be mentioned that many higher education institutions - as compared with the past - have committed themselves to this new task. Nevertheless, they have still not reached the level of development of further education achieved in other countries, especially as regards precise identification of requirements, orientation towards target groups and efficient provision and organization of further education programmes. As higher education institutions are sceptic and reluctant, great efforts must be made to convince them, while creating or permitting framework conditions which make qualified further education attractive to them, rewarding as regards study content, inspiring and socially relevant for these institutions. If the major barriers are the traditionally all to strong emphasis in first degree course teaching, unsolved financial problems and difficulties as regards didactics and motivation of teaching staff[58], measures should be taken on the basis of these analyses to overcome such barriers:

Further education should be awarded a higher reputation. This can only be achieved by special incentives, for instance, by allowing the providers within higher education institutions to manage part of the revenues from these programmes themselves in order to improve their situation as to personnel and equipment. Moreover stronger emphasis should be placed on the development of teaching methods for adults which take into account, in particular, the participants' work experience. In order to improve the situation of further education, special entities within higher education institutions

should be established at central or department level, which are to support higher education staff in developing programmes both in terms of teaching and management: for instance, provision of contacts with industry, associations, institutions and user groups in order to identify demand and to be able to adapt programmes to the state-of-the-art; information of user groups about the further education programmes; counselling for those interested in further education; solving problems arising in connection with the admission of participants to the programmes; maintaining contacts to regional authorities and enterprises and other providers of further education programmes in the respective region in order to plan and execute potential joint further education programmes.

In the long run, it would be useful to develop more further education programmes in the narrow definition as these are the strong assets of higher education institutions in comparison with other providers.

Moreover efforts should be made to reduce the contents of the initial study courses and transform it into the modules of further education studies in order to achieve substantially shorter study periods in first degree courses.

If it should be possible, among other things, to put some proposals made by the Ausschuß Bildungsplanung of the BLK into practice, that is, to solve the problems of funding and of the participants' status in further education programmes and to create further incentives for a stronger commitment of higher education staff to these further education programmes provided by their institutions, a significant upswing of further education activities at higher education institutions in the Federal Republic of Germany might be expected in the foreseeable future.

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2 Hochschulrahmengesetz (HRG), 26.1.1976, BGBl I, p. 185.

3 see: Wissenschaftsrat (1983) p. 13.

4 see: Westdeutsche Rektorenkonferenz (1989); Deutscher Akademischer Austauschdienst (1989).

5 see: Wissenschaftsrat (1983) pp. 34-36.

6 see: Battis, U. (1989) p. 33.

7 This topic was resumed in the recommendations of the Wissenschaftsrat. see: Wissenschaftsrat (1983), (1986) and (1989).

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11 see: Wissenschaftsrat (1983) p. 8; Battis, U. (1989) pp. 37-39; Holtkamp, R. Kazemzadeh, F. (1989 pp.23 f.

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19 Holtkamp, R./Kazemzadeh, F. (1989).

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21 see: Holtkamp, R./Kazemzadeh, F. (1989) p. 42.

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30 This paragraph was formulated in accordance with the statements of the Ausschuß Bildungsplanung of the BLK. see: Bund-Länder-Kommission für Bildungsplanung und Forschungsförderung (1990) pp. 22 ff.

31 see: Wissenschaftsrat (1983) p. 20.

32 see: Holtkamp, R./Kazemzadeh, F. (1989) p. 82.

33 The results by E.v.Willmann are generally similar to those. According to her investigation the admission requirements for study courses in more than 50% imply work-experience and/or a degree in higher education. For other programmes in further education work experience is required in 50% and even a degree in higher education for about 30%. see: Willmann, E. von (1988) p. 18.

34 see: Bund-Länder-Kommission für Bildungsplanung und Forschungsförderung (1990) p. 28.

35 see: Holtkamp, R./Kazemzadeh, F. (1989) pp. 88 f.

36 Bund-Länder-Kommission für Bildungsplanung und Forschungsförderung (1990) p. 30 f.

37 This is what the Wissenschaftsrat demands on condition that the transition to the first degree study courses followed generally accepted regulations. see: Wissenschaftsrat (1983) p. 20.

38 This paragraph was also formulated according to the recommendations of the Auschuß Bildungsplanung of the BLK. see: Bund-Länder-Kommission für Bildungsplanung und Forschungsförderung (1990). pp. 32 ff.

39 see: Holtkamp, R./Kazemzadeh, F. (1989) p. 104.

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